

Mississippi Electronic Courts
Madison County Circuit Court (Circuit Court of Madison County)
CIVIL DOCKET FOR CASE #: 45CI1:14-cv-00188

WARREN v. C.R. ENGLAND INC et al
Assigned to: John H. Emfinger

Date Filed: 08/11/2014
Jury Demand: None
Nature of Suit: 182 Negligence - Motor Vehicle
Jurisdiction: General

Plaintiff

RODERICK D WARREN
100 WILSON DRIVE NORTHWEST
MILLEDGEVILLE, GA

represented by **Barbara Martin Blackmon**
Blackmon & Blackmon, PLLC
Post Office Box 105
CANTON, MS 39046
601-859-1567
Fax: 601-859-2311
Email:
bblackmon@blackmonlawfirm.com
ATTORNEY TO BE NOTICED

Bryant Wandrick Clark
Clark & Clark, PLLC
P. O. Box 179
105 E. China Street
LEXINGTON, MS 39095
662-834-6133
Fax: 662-834-6136
Email:
bclark@clarkandclarklawoffice.com
ATTORNEY TO BE NOTICED

Edward Blackmon, Jr
Blackmon & Blackmon
P.O. Box 105
CANTON, MS 39046
601-859-1567
Fax: 601-859-2311
Email:
edblackmon@blackmonlawfirm.com
ATTORNEY TO BE NOTICED

V.

Defendant

C.R. ENGLAND INC
CT CORPORATION SYSTEM,



REGISTERED AGENT
1108 E SOUTH UNION AVE
MIDVALE, UT 84047

Defendant

TORRIS D ROBINSON
REGISTERED AGENT,
HONORABLE DELBERT HOSEMAN
401 MISSISSIPPI STREET
JACKSON, MS 39201

Defendant

JOHN DOES 1-V

Date Filed	#	Docket Text
08/08/2014	<u>1</u>	COMPLAINT against C.R. ENGLAND INC, JOHN DOES 1-V, TORRIS D ROBINSON, filed by RODERICK D WARREN. (Attachments: # <u>1</u> Civil Cover Sheet) (Kirby, Natalie) (Entered: 08/11/2014)
08/08/2014	<u>2</u>	NOTICE OF SERVICE of Interrogatories Propounded to DEFENDANTS, NOTICE OF SERVICE of Request for Production of Documents Propounded to DEFENDANTS by RODERICK D WARREN. (Kirby, Natalie) (Entered: 08/11/2014)
08/08/2014	<u>3</u>	SUMMONS Issued to ATTY as to TORRIS D ROBINSON. (Kirby, Natalie) (Entered: 08/11/2014)
08/08/2014	<u>4</u>	SUMMONS Issued to ATTY as to C.R. ENGLAND INC. (Kirby, Natalie) (Entered: 08/11/2014)
09/08/2014	<u>5</u>	Order Regarding Motion Hearings and Briefing:. (Sanders, Fannie) (Entered: 09/09/2014)
09/11/2014	<u>6</u>	SUMMONS Issued to TORRIS D ROBINSON. (Blankenship, Dendy) (Entered: 09/12/2014)
09/11/2014	<u>7</u>	SUMMONS Issued to C.R. ENGLAND INC. (Blankenship, Dendy) (Entered: 09/12/2014)
09/24/2014	<u>8</u>	SUMMONS Returned Executed by RODERICK D WARREN. C.R. ENGLAND INC served on 9/8/2014, answer due 10/8/2014. Service type: Certified Mail (Blackmon, Edward) (Entered: 09/24/2014)

MEC Service Center

Transaction Receipt

10/01/2014 14:43:19

You will be charged \$0.20 per page to view or print documents.

MEC Login:	bl104499M	Client Code:	
Description:	Docket Report	Search Criteria:	45C11:14-cv-00188
Billable Pages:	2	Cost:	0.40

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

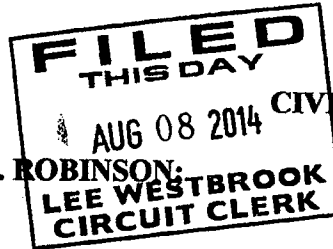
PLAINTIFF

VS.

**C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V**

CIVIL ACTION NO. CI2014-0188-JE

DEFENDANTS



COMPLAINT
JURY TRIAL DEMANDED

COMES NOW the Plaintiff, Roderick D. Warren, by and through his counsel and files this his Complaint for compensatory and punitive damages, and in support thereof would show unto the Court, the following:

PARTIES

I

Plaintiff Roderick D. Warren is an adult resident citizen of Baldwin County, Georgia residing at 100 Wilson Drive Northwest, Milledgeville, Georgia.

II

Defendant, Torris D. Robinson, is a resident citizen of the State of Alabama, whose present address is 1710 Walnut Avenue, Anniston, Alabama; Plaintiff would further show unto this Honorable Court that the Defendant, Torris D. Robinson was a non-resident motorist in the State of Mississippi at the time he committed the wrongs hereinafter alleged and was operating a motor vehicle owned by Defendant, C.R. England Inc.; that by virtue of the use of the highways of the State of Mississippi, the said Defendant has appointed the Secretary of State of the State of Mississippi, the Honorable Delbert Hosemann, as his agent for service of process by virtue of the provisions of §13-3-63 of the Mississippi Code of 1972, Annotated; and that said agent, the Honorable Delbert Hosemann, Secretary of State of the State of Mississippi, having his offices in the City of Jackson, Hinds County, Mississippi, at 401 Mississippi Street, Jackson, Mississippi, where he may be found for service of process. Alternatively, process will be served by United

States Mail strictly following the guidelines of Rule 4(c)(3) of the Mississippi Rules of Civil Procedure. Robinson was the operator of a commercial vehicle at the time of the incident made the basis of this lawsuit.

III

1. Defendant, C.R. England, Inc., is a foreign corporation organized and existing by the laws of the State of Utah and located at 4701 W. 2100 S. Salt Lake City, UT 84120. Defendant C.R. England, Inc. may be served with process of this court by mailing a copy of the summons and of the complaint (by first-class mail, postage prepaid) together with two copies of a notice service and acknowledgment conforming substantially to Form 1-B and a return envelope, postage prepaid, addressed to its agent for service of process: C T Corporation System at 1108 E. South Union Ave, Midvale, UT 84047. C.R. England, Inc. is/was the employer of Torris D. Robinson on the occasion of the incident made the basis of this lawsuit. Torris D. Robinson was the operator of a commercial vehicle at the time of the incident made the basis of this lawsuit.

IV

John Does I-V are those individuals or entities whose names are presently unknown to Plaintiff. The true names and capacities, whether individual, corporate, associate or otherwise, of defendants John Does I-V, inclusive, are unknown to plaintiff at this time. Plaintiff sues such defendants by their fictitious names and will amend this complaint to show their true names and capacities when they have been ascertained. Plaintiff is informed and believes, and based on such information and belief alleges, that each of the defendants designated as a fictitious party is negligently or otherwise legally responsible for the events and happenings referred to in this complaint, and negligently or otherwise unlawfully caused the injuries and damages alleged in this complaint. Plaintiff is informed and believes, and based on such information and belief alleges,

that at all times mentioned in this complaint some of said fictitious defendants were the agents and employees of their codefendants, and in doing the things alleged in this complaint were acting within the course and scope of such agency and employment.

JURISDICTION AND VENUE

V

1. Jurisdiction in Madison County, Mississippi is proper pursuant to Miss. Code Ann. §11-11-3(1)(a)(i). (As Amended).
2. Venue in Madison County, Mississippi is proper pursuant to Miss. Code Ann. §11-11-3(1)(a)(i). (As Amended).

FACTS

VI

Defendant, C.R. England, Inc. owns and/or operates the vehicle that was being driven by Defendant Torris D. Robinson at the time of the subject accident. Further, Defendant, Torris D. Robinson was an employee and/or agent of Defendant, C.R. England, Inc. at the time of the subject accident.

VII

On or about July 7th, 2013 at approximately 7:53 p.m. the Plaintiff, Roderick D. Warren was sitting in the back of the cab of his eighteen-wheeler truck stopped in a parking lot of Love's Gas Station located at 1545 West Peace Street, Canton, Mississippi 39046.

VIII

At said time and place, Defendant Torris D. Robinson drove his eighteen-wheeler onto the Love's Gas Station premises where he preceded to collide with the front cab of Plaintiff's parked 18 Wheeler Tractor Trailer, causing extensive damage to the Plaintiff's vehicle and to the Plaintiff himself.

IX

Plaintiff, as a direct and proximate result of the accident on July 7th, 2013 suffered severe and permanent injuries for which he had to seek medical care and treatment.

X

On or about July 7, 2013, and at all times relevant, Defendant Torris D. Robinson failed to keep a proper lookout, failed to adhere to the rules of the road, failed to maintain control of his vehicle and showed disregard for the safety of others, thereby negligently, wantonly, and recklessly causing his 18 tractor trailer truck to collide with the Plaintiff's stationary and parked vehicle. Defendant Torris D. Robinson's negligent actions caused his vehicle collide with the front cabin of Plaintiff's vehicle.

COUNT I

GROSS NEGLIGENCE, ETC.
C.R. ENGLAND, INC.

XI

1. Defendant C.R. England, Inc. before and at the time of the subject collision herein, was guilty of intentional, willful, unlawful, wanton, reckless, grossly negligent, and/or negligent acts and/or missions which include but are not necessarily limited to the following:

- a. Hiring and retaining defendant Mr. Torris D. Robinson;
- b. Failing to properly train defendant Mr. Torris D. Robinson;
- c. Failing to investigate the driving record of defendant Mr. Torris D. Robinson during the course of his employment;
- d. Failing to develop, implement, and/or enforce a reasonable and prudent trucking safety program and procedures which including driver screening, driver training, and driver management.

2. Said intentional, willful, unlawful, wanton, reckless, grossly negligent, and/or

negligent acts of Defendant C.R. England, Inc. was a proximate cause of the above described collision on July 7th, 2013 and the injuries sustained by Plaintiff, and the resulting losses and damages as described hereinafter.

COUNT II
NEGLIGENCE OF TORRIS D. ROBINSON

XII

Plaintiff re-alleges and incorporates by reference paragraphs I through XI above, as if set forth in full hereinafter.

XIII

Defendant Torris D. Robinson on the date of and at the time of subject accident, had a duty to act reasonably and use due care while driving. Defendant Robinson had a duty to pay attention to traffic, to maintain a proper lookout, to obey the laws and rules of the State of Mississippi, to maintain proper speed for then and the conditions then and there existing to reduce the speed of his truck to avoid an accident, to maintain a proper distance between vehicles and to pay full time attention to the operation of his vehicle to avoid a collision. Defendant Robinson breached that duty of care by:

- a. failing to yield the right of way to Plaintiff's vehicle on the parking lot of Love's Gas station;
- b. driving his vehicle into the parked vehicle occupied by Plaintiff; and
- c. failing to keep his vehicle under control.

XIV

As a direct and proximate cause of the negligence of Defendant Torris D. Robinson, Plaintiff suffers from permanent physical injuries, conscious mental anguish, pain and suffering in the past and in the future, past medical expenses, future medical expenses, lost wages, and the loss of future wages.

XV

All of the above damages were directly and proximately caused by the aforementioned negligence of Defendant Torris D. Robinson, and were incurred without contributory negligence or assumption of the risk on the part of Plaintiff, or an opportunity for Plaintiff to avoid the accident.

COUNT III
PUNITIVE DAMAGES

XVI

Plaintiff re-alleges and incorporates by reference paragraphs I through XV above, as if set forth in full hereinafter.

XVII

The aforesaid actions and omissions of Defendants, constitutes intentional, willful, unlawful, reckless conduct and wanton disregard for the rights of Plaintiff and others lawfully on the premises of Love's Gas Station, all of which constitutes such gross negligence and recklessness as to show a total lack of regard as to the rights of Plaintiff, and other members of the public, which entitles Plaintiff to recover punitive and exemplary damages against said Defendants.

COUNT IV
COMPENSATORY DAMAGES

XVIII

Plaintiff re-alleges and incorporates by reference paragraphs I through XVII above, as if set forth in full hereinafter.

XIX

As a direct and proximate result of the above-described acts/omissions of Defendants, Plaintiff developed and suffered severe and painful physical maladies and conditions, and on account of the same, Plaintiff is entitled to recover said damages.

XX

As a further direct and proximate result of the above-described acts/omissions of Defendants, Plaintiff suffered and experienced excruciating pain, suffering, mental anguish and agony; and on account of the same, Plaintiff is entitled to recover damages.

WHEREFORE, Plaintiff brings this action and demands judgment of and from Defendants, jointly and severely in the amount of \$15,000,000.00 compensatory damages; pre-judgment interest on said money from July 7, 2013, or such other relief as the Court finds to be appropriate; reasonable attorney's fees, and punitive damages.

Respectfully submitted, this the 8th day of August, 2014.

RODERICK D. WARREN, PLAINTIFF

By: 

Edward Blackmon, Jr., MSB #3354
One of Plaintiff's Attorneys

OF COUNSEL:

BARBARA MARTIN BLACKMON, MSB #3346
JANESSA E. BLACKMON, MSB #101544
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907 WEST PEACE STREET
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BRYANT W. CLARK, MSB #
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105 E. CHINA STREET
LEXINGTON, MS 39095
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Canton, Mississippi 39046
ph: (601) 859-1567 fax: (601) 859-2311

Janessa E. Blackmon
jeblackmon@blackmonlawfirm.com

August 8, 2014

VIA HAND DELIVERY

Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, Mississippi 39046

RE: *Roderick D. Warren vs. C. R. England, Inc., et al;* In the Circuit Court
of Madison County, Mississippi

Dear Ms. Westbrook:

Enclosed for filing, please find the original and one (1) copy of the *Complaint and Important Notice, a Civil Cover Sheet, three (3) Summonses*, and the firm's check for \$161.00 in the above-referenced matter. Please certify the summons, stamp "filed" the copies and return the same in the self-addressed stamped envelope also enclosed for your convenience.

As always, thank you for your assistance.

Sincerely yours,

BLACKMON & BLACKMON, PLLC


Edward Blackmon, Jr.

EBJr./va
Enclosures

Z:\oldFiles\AUTO.ACC\Roderick D. Warren\Ltr. to clerk re filing Complaint and other papers 3.13.14.docx

"INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE".
-Martin Luther King, Jr.

FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Madison County

WARREN VS CR ENGLAND & TORRIS D ROBINSON

Case # CI 2014 0188 Acct # Paid By CHECK 18360 Rct# 66980

CV CLERK'S FEE	85.00
CV LAW LIBRARY	2.50
CV STENO TAX	10.00
CV COURT EDUCATION	2.00
CV COURT ADMINISTRATOR	2.00
CV CIVIL LEGAL ASSISTANCE FUND	5.00
CV COMPREHENSIVE ELECTRONIC CT	10.00
CV JURY TAX	3.00
CV CONSTITUENTS FE	.50
CV RECORDS MANAGEMENT PROGRAM	1.00
CV-JUDICIAL SYS OPERATION FUND	40.00

Total \$ 161.00

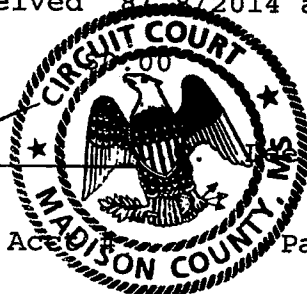
Payment received from BLACKMON & BLACKMON PLLC

Transaction 51083 Received 8/8/2014 at 16:56 Drawer 6 I.D. NATALIE

Current Balance Due

Receipt Amount \$ 161.00

By



Westbrook, Circuit Clerk

Case # CI 2014 0188

Acct #

Paid By CHECK 18360

Rct# 66980

Civil Case Filing Form

(To be completed by Attorney/Party
Prior to Filing of Pleading)

45	0	01
County #	Judicial District	Court ID (CH, CI, CO)
08	08	14
Month	Date	Year

2014

0188

JE
Local Docket IDMississippi Supreme Court
Administrative Office of CourtsForm AOC/01
(Rev 2009)

This area to be completed by clerk

Case Number if filed prior to 1/1/94

In the CIRCUIT

Court of MADISON

County --

Judicial District

Origin of Suit (Place an "X" in one box only)

- | | | | | |
|--|-------------------------------------|--|--|--------------------------------|
| <input checked="" type="checkbox"/> Initial Filing | <input type="checkbox"/> Reinstated | <input type="checkbox"/> Foreign Judgment Enrolled | <input type="checkbox"/> Transfer from Other court | <input type="checkbox"/> Other |
| <input type="checkbox"/> Remanded | <input type="checkbox"/> Reopened | <input type="checkbox"/> Joining Suit/Action | <input type="checkbox"/> Appeal | |

Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form

Individual Warren Roderick D.
Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV

Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____
Estate of _____

Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____
D/B/A or Agency _____

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

- Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: _____
D/B/A _____

Address of Plaintiff 100 Wilson Drive Northwest, Milledgeville, GAAttorney (Name & Address) Edward Blackmon, Jr., 907 West Peace Street, Canton, MS 39046MS Bar No. 3354

- Check (x) if Individual Filing Initial Pleading is NOT an attorney

Signature of Individual Filing: _____

Defendant - Name of Defendant - Enter Additional Defendants on Separate Form

Individual _____
Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV

Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: _____
Estate of _____

Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: _____
D/B/A or Agency _____

Business C. R. England, Inc.

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

- Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: _____
D/B/A _____

Attorney (Name & Address) - If Known _____

MS Bar No. _____

Damages Sought: Compensatory \$ _____ Punitive \$ _____ Check (x) if child support is contemplated as an issue in this suit.*
*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

Nature of Suit (Place an "X" in one box only)

Domestic Relations	Business/Commercial	Children/Minors - Non-Domestic	Real Property
<input type="checkbox"/> Child Custody/Visitation	<input type="checkbox"/> Accounting (Business)	<input type="checkbox"/> Adoption - Contested	<input type="checkbox"/> Adverse Possession
<input type="checkbox"/> Child Support	<input type="checkbox"/> Business Dissolution	<input type="checkbox"/> Adoption - Uncontested	<input type="checkbox"/> Ejectment
<input type="checkbox"/> Contempt	<input type="checkbox"/> Debt Collection	<input type="checkbox"/> Consent to Abortion Minor	<input type="checkbox"/> Eminent Domain
<input type="checkbox"/> Divorce: Fault	<input type="checkbox"/> Employment	<input type="checkbox"/> Removal of Minority	<input type="checkbox"/> Eviction
<input type="checkbox"/> Divorce: Irreconcilable Diff.	<input type="checkbox"/> Foreign Judgment	<input type="checkbox"/> Other _____	<input type="checkbox"/> Judicial Foreclosure
<input type="checkbox"/> Domestic Abuse	<input type="checkbox"/> Garnishment	<input type="checkbox"/> Civil Rights	<input type="checkbox"/> Lien Assertion
<input type="checkbox"/> Emancipation	<input type="checkbox"/> Replevin	<input type="checkbox"/> Elections	<input type="checkbox"/> Partition
<input type="checkbox"/> Modification	<input type="checkbox"/> Other _____	<input type="checkbox"/> Expungement	<input type="checkbox"/> Tax Sale: Confirm/Cancel
<input type="checkbox"/> Paternity	<input type="checkbox"/> Probate	<input type="checkbox"/> Habeas Corpus	<input type="checkbox"/> Title Boundary or Easement
<input type="checkbox"/> Property Division	<input type="checkbox"/> Accounting (Probate)	<input type="checkbox"/> Post Conviction Relief/Prisoner	<input type="checkbox"/> Other _____
<input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Birth Certificate Correction	<input type="checkbox"/> Other _____	<input type="checkbox"/> Torts
<input type="checkbox"/> Termination of Parental Rights	<input type="checkbox"/> Commitment	<input type="checkbox"/> Contract	<input type="checkbox"/> Bad Faith
<input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA)	<input type="checkbox"/> Conservatorship	<input type="checkbox"/> Breach of Contract	<input type="checkbox"/> Fraud
<input type="checkbox"/> Other _____	<input type="checkbox"/> Guardianship	<input type="checkbox"/> Installment Contract	<input type="checkbox"/> Loss of Consortium
<input type="checkbox"/> Appeals	<input type="checkbox"/> Heirship	<input type="checkbox"/> Insurance	<input type="checkbox"/> Malpractice - Legal
<input type="checkbox"/> Administrative Agency	<input type="checkbox"/> Intestate Estate	<input type="checkbox"/> Specific Performance	<input type="checkbox"/> Malpractice - Medical
<input type="checkbox"/> County Court	<input type="checkbox"/> Minor's Settlement	<input type="checkbox"/> Other _____	<input type="checkbox"/> Mass Tort
<input type="checkbox"/> Hardship Petition (Driver License)	<input type="checkbox"/> Muniment of Title	<input type="checkbox"/> Statutes/Rules	<input type="checkbox"/> Negligence - General
<input type="checkbox"/> Justice Court	<input type="checkbox"/> Name Change	<input type="checkbox"/> Bond Validation	<input checked="" type="checkbox"/> Negligence - Motor Vehicle
<input type="checkbox"/> MS Dept Employment Security	<input type="checkbox"/> Testate Estate	<input type="checkbox"/> Civil Forfeiture	<input type="checkbox"/> Product Liability
<input type="checkbox"/> Worker's Compensation	<input type="checkbox"/> Will Contest	<input type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Subrogation
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Injunction or Restraining Order	<input type="checkbox"/> Wrongful Death
		<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JUDICIAL DISTRICT, CITY OF

Docket No. -
File Yr Chronological No. Clerk's Local ID

Docket No. If Filed
Prior to 1/1/94

DEFENDANTS IN REFERENCED CAUSE - Page 1 of Defendants Pages
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Defendant #2:

Individual: Robinson Last Name Torris First Name (Maiden Name, if Applicable) D. Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A

ATTORNEY FOR THIS DEFENDANT: Bar # or Name: Pro Hac Vice (✓) Not an Attorney(✓)

Defendant #3:

Individual: Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A

ATTORNEY FOR THIS DEFENDANT: Bar # or Name: Pro Hac Vice (✓) Not an Attorney(✓)

Defendant #4:

Individual: Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

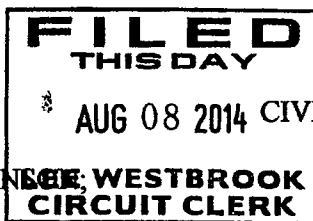
Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:

D/B/A

ATTORNEY FOR THIS DEFENDANT: Bar # or Name: Pro Hac Vice (✓) Not an Attorney(✓)

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN



PLAINTIFF

VS.

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

IMPORTANT NOTICE

PLEASE TAKE NOTICE: The following discovery instrument(s) is/are being served along with this Summons and Complaint:

**PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS TO DEFENDANT, C. R. ENGLAND, INC.**

**PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS TO DEFENDANT, TORRIS D. ROBINSON**

PURSUANT TO MISSISSIPPI RULE, FURTHER NOTICE IS HEREBY GIVEN THAT THE ORIGINAL OF THIS DISCOVERY IS BEING RETAINED IN OUR FILES.

This the 8th day of August, 2014.

Respectfully submitted,

RODERICK D. WARREN, PLAINTIFF

BY:


EDWARD BLACKMON, JR., MSB #3354

OF COUNSEL:

BARBARA MARTIN BLACKMON, MSB #3346
JANESSA E. BLACKMON, MSB #101544
BLACKMON & BLACKMON, PLLC
907 WEST PEACE STREET
POST OFFICE DRAWER 105
CANTON, MISSISSIPPI 39046-0105
TELEPHONE: (601) 859-1567
FACSIMILE: (601) 859-2311

BRYANT W. CLARK, MSB #
CLARK & CLARK, PLLC
105 E. CHINA STREET
LEXINGTON, MS 39095
TELEPHONE: (662) 834-6133

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. CI 2014-0188 - JE

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

COUNTY OF HINDS

TO: Torris D. Robinson
Registered Agent, Honorable Delbert Hoseman
401 Mississippi Street
Jackson, Mississippi

NOTICE TO DEFENDANT(S)

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Edward Blackmon, Jr., Esq. the attorney for the Plaintiff(s), whose address is 907 West Peace Street, Post Office Drawer 105, Canton, Mississippi 39046.

Your response must be mailed or delivered within (30) days from the date of this Summons and Complaint or Judgment by Default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this ____ day of _____, 2014.

Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, MS 39046

BY: _____ D.C.

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. 2014-0188-JE

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

COUNTY OF HINDS

TO: C. R. England, Inc.
C. T. Corporation System, Registered Agent,
1108 E. South Union Avenue
Midvale, UT 84047

NOTICE TO DEFENDANT(S)

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Edward Blackmon, Jr., Esq. the attorney for the Plaintiff(s), whose address is 907 West Peace Street, Post Office Drawer 105, Canton, Mississippi 39046.

Your response must be mailed or delivered within (30) days from the date of this Summons and Complaint or Judgment by Default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

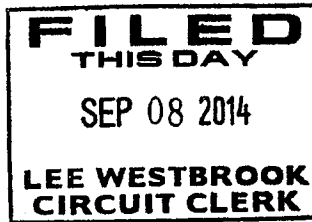
Issued under my hand and the seal of said Court, this ____ day of _____, 2014.

Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, MS 39046

BY: _____ D.C.

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

Roderick P. Warren



PLAINTIFF(S)

VS.

CIVIL ACTION NO.

CI 2014-188-JE

C.R. England Incptal

DEFENDANT(S)

ORDER REGARDING MOTION HEARINGS AND BRIEFING

THIS CAUSE is before the Court *sua sponte* in relation to motion hearings and briefing, and the Court finds that pursuant to M.R.C.P. 78 all motions, except at the Court's discretion, should be determined without oral hearing upon brief written statements of reasons in support and opposition.

The Court further finds that after having previously experienced problems with parties either not filing, or not timely filing memorandum or briefs, the result of which adversely impacted the Court's docket, the parties should be required to timely file memorandum or briefs as ordered herein.

The Court further finds that the parties should be required to file any affidavit supporting a motion with the motion and any opposing affidavit with the related reply or rebuttal.

The Court further finds that with respect to motions to dismiss or for summary judgment the parties should be required to comply with the memorandum or briefing schedule set forth in URCCC 4.03 2., as modified by the Administrative Procedures for Mississippi Electronic Courts Section 3. A. 1. The Court further finds that the parties should be required to set forth in a separate pleading or distinctly set forth in the motion the itemization of the facts relied upon and not genuinely

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disputed.

The Court further finds that with respect to all other motions, except motions for a default judgment, the parties should be required to comply with the encouraged memorandum or briefing schedule set forth in the second paragraph of URCCC 4.03 3., as modified by the Administrative Procedures for Mississippi Electronic Courts Section 3. A. 1.

IT IS THEREFORE ORDERED AND ADJUDGED that all motions, except at the Court's discretion, shall be determined without oral hearing upon brief written statements of reasons in support and opposition.

IT IS FURTHER ORDERED AND ADJUDGED that the parties shall be and hereby required to file any affidavit supporting a motion with the motion and any opposing affidavit with the related reply or rebuttal.

IT IS FURTHER ORDERED AND ADJUDGED that with respect to motions to dismiss or for summary judgment the parties shall be and hereby are required to comply with the memorandum or briefing schedule set forth in URCCC 4.03 2., as modified by the Administrative Procedures for Mississippi Electronic Courts Section 3. A. 1., and the parties shall be and hereby are required to set forth in a separate pleading or distinctly set forth in the motion the itemization of the facts relied upon and not genuinely disputed.

IT IS FURTHER ORDERED AND ADJUDGED that with respect to all other motions, except motions for a default judgment, the parties shall be and hereby are required to file memoranda or briefs on the schedule set forth in the second paragraph of URCCC 4.03 3., as modified by the Administrative Procedures for Mississippi Electronic Courts Section 3. A. 1.

IT IS FURTHER ORDERED AND ADJUDGED that, notwithstanding the above finding

and ruling that all motions, except at the Court's discretion, should be determined without oral hearing upon brief written statements of reasons in support and opposition, the parties shall be and hereby are required to notice all motions for hearing on a date after the memorandum and briefing will have been completed, and counsel shall be and hereby are required to be prepared to make oral argument if required by the Court on that date.

IT IS FURTHER ORDERED AND ADJUDGED that, in addition to filing a notice of hearing on MEC, the parties shall be and hereby are required to email a copy thereof to the Court Administrator at pat.green@madison-co.com.

SO ORDERED AND ADJUDGED this 8th day of September, 2014.


CIRCUIT JUDGE

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. CI-2014-0188-JE

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

SUMMONS

TO: Torris D. Robinson
1710 Walnut Avenue
Anniston, Alabama

NOTICE TO DEFENDANT(S)

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

The enclosed summons, complaints, request for production of documents, and first set of interrogatories are served pursuant to Rule 4(c)(3) of the Mississippi Rules of Civil Procedure.

You must sign and date the acknowledgment at the bottom of this page. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 20 days of the date of mailing shown below, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and complaint.

If you do complete and return this form, you (or the party on whose behalf you are being served) must respond to the complaint within 30 days of the date of your signature. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on September 11th, 2014.

Issued under my hand and the seal of said Court, this 11 day of Sept., 2014.

Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, MS 39046

BY: _____ D.C.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on September 11th, 2014.

Edward Blackmon Jr., MSB #3354

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. CI-2014-0188-JE

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

SUMMONS

TO: C. R. England, Inc.
C. T. Corporation System, Registered Agent,
1108 E. South Union Avenue
Midvale, UT 84047

NOTICE TO DEFENDANT(S)

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

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If you do complete and return this form, you (or the party on whose behalf you are being served) must respond to the complaint within 30 days of the date of your signature. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on September 11th, 2014.

Issued under my hand and the seal of said Court, this 11 day of Sept, 2014.

Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, MS 39046

BY: _____ D.C.

I declare that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on September 11th, 2014.

Edward Blackmon Jr., MSB #3354

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. CI 2014-0188-JB

C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

COUNTY OF HINDS

TO: C. R. England, Inc.
C. T. Corporation System, Registered Agent,
1108 E. South Union Avenue
Midvale, UT 84047

NOTICE TO DEFENDANT(S)

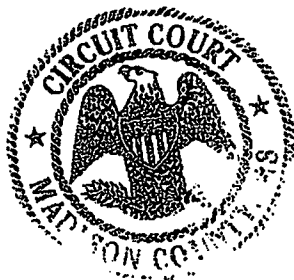
**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Edward Blackmon, Jr., Esq. the attorney for the Plaintiff(s), whose address is 907 West Peace Street, Post Office Drawer 105, Canton, Mississippi 39046.

Your response must be mailed or delivered within (30) days from the date of this Summons and Complaint or Judgment by Default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 8th day of Aug, 2014.



Mrs. Lee Westbrook, Circuit Clerk
Madison County Circuit Court
Post Office Box 1626
Canton, MS 39046

BY: Natairiny D.C.

NOTICE AND ACKNOWLEDGMENT FOR SERVICE BY MAIL
IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

RODERICK D. WARREN

PLAINTIFF

VS.

CIVIL ACTION NO. CI 2014-0188-JE

**C.R. ENGLAND INC.; TORRIS D. ROBINSON;
AND JOHN DOES I-V**

DEFENDANTS

NOTICE

TO: C. R. ENGLAND, INC.
C. T. CORPORATION SYSTEM
REGISTERED AGENT
1108 E. SOUTH UNION AVENUE
MIDVALE, UT 84047

The enclosed Summons, Complaint, and First Set of Interrogatories and Request for Production of Documents Propounded to Defendant are served pursuant to Rule 4(c)(3) of the Mississippi Rules of Civil Procedure.

You must sign and date the acknowledgement at the bottom of the page. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 20 days of the date of mailing shown below, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and amended complaint.

If you do not complete and return this form, you (or the party on whose behalf you are being served) must respond to the Complaint within (30) days of the date of your signature.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the amended complaint.

I declare that this Notice and Acknowledgment of Receipt of Summons, First Set of Discovery and Complaint was mailed on 9-4-14.



Signature

5049 0000 0092 E102

(Domestic Mail Only, No Insurance Coverage Provided)	
For Delivery Information, visit our website at usps.com	
Postage	\$ 2.24
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.24

Postmark Here

Sent To
 C.R. England, Inc. c/o C.T. Corporation RA
 Street, Apt. No. or PO Box No. 1108 E. South Union Avenue
 City, State, ZIP+4 Midvale, UT 84047
 PS Form 3811, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>Kelly Jones</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Kelly Jones</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>C. R. ENGLAND, INC. C. T. CORPORATION SYSTEM REGISTERED AGENT 1108 E. SOUTH UNION AVENUE MIDVALE, UT 84047</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

2. Article Number (Transfer from service label) 7013 2630 0000 6405 4263

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

SEP 12 2014

EDWARD BLACKMON, JR.
 BLACKMON & BLACKMON, PLLC
 907 West Peace Street
 Post Office Drawer 105
 Canton, Mississippi 39046

Roderick K. Warren